

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

_____)	
MYNETTE TECHNOLOGIES, INC.)	
and STEVEN M. COLBY,)	
)	
Plaintiffs,)	
)	
v.)	
)	Case No. 16-cv-01647-RTH
THE UNITED STATES,)	
)	Judge Ryan T. Holte
Defendant,)	
)	
and)	
)	
GEMALTO, INC. and IDEMIA IDENTITY)	
& SECURITY USA LLC,)	
)	
Intervenor-Defendants.)	
_____)	

**JOINT STATUS REPORT AND MOTION TO
REFER MATTER TO ADR AND TO MODIFY SCHEDULE**

Plaintiffs Mynette Technologies, Inc. and Steven M. Colby (collectively, “Mynette”), Defendant, the United States (“the Government”), and Intervenor-Defendants Gemalto, Inc. (“Gemalto”) and Idemia Identity and Security USA LLC (“Idemia”) (collectively, “the Parties”) respectfully request that the Court refer this case to Alternative Dispute Resolution (“ADR”) before the Honorable Judge Kathryn C. Davis pursuant to Appendix H (Procedure for ADR). The reasons supporting the Parties’ requests are set forth below.

Pursuant to the Court’s scheduling order of April 24, 2024 (Dkt. No. 194), the Parties exchanged opening expert reports on May 10, 2024. At this juncture, mediation of the case may be productive. Accordingly, should the Court refer the matter to Judge Davis for ADR, the Parties

would schedule a mediation in Washington, D.C. during September of 2024 on a date to be determined based upon the Parties' and Judge Davis's availability.

Further, should the Court grant the referral to Judge Davis, the Parties also request an adjustment of the Court's April 24 scheduling order to adjust the next scheduled date, exchange of RCFC 26(a)(2)(B) responsive expert reports currently due on June 21, 2024, until 30 days after the conclusion of the mediation before Judge Davis, with all subsequent scheduled dates correspondingly adjusted by an additional 30 days.

Respectfully submitted,¹

June 7, 2024

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¹ Pursuant to RCFC 22(b) of Appendix E, the filing attorney represents that the other Parties have reviewed this document and consent to its filing.

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